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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

10 NO. MJ12-609

11 Plaintiff,

12 v.

13 DETENTION ORDER

14 JOSE MERAZ-GALLEGOS,

15 Defendant.

16 Offenses charged:

17 Counts 1-2: Distribution of Cocaine, in violation of 21 U.S.C. §§ 841(a)(1),
18 841(b)(1)(B) and 846

19 Count 3: Possession with Intent to Distribute, in violation of 21 U.S.C. §§
20 841(a)(1) and 841(b)(1)(C)

21 Date of Detention Hearing: November 16, 2012

22 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
23 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

24 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

25 1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that
26 defendant is a flight risk and a danger to the community based on the nature of
the pending charges. Application of the presumption is appropriate in this case.

DETENTION ORDER

18 U.S.C. § 3142(i)

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- 1 2. An immigration detainer has been placed on defendant by the United States
- 2 Immigration and Customs Enforcement.
- 3 3. Defendant has stipulated to detention, but reserves the right to contest his
- 4 continued detention if there is a change in circumstances.
- 5 4. There are no conditions or combination of conditions other than detention that
- 6 will reasonably assure the appearance of defendant as required or ensure the
- 7 safety of the community.

8 IT IS THEREFORE ORDERED:

- 9 (1) Defendant shall be detained and shall be committed to the custody of the
- 10 Attorney General for confinement in a correction facility separate, to the extent
- 11 practicable, from persons awaiting or serving sentences or being held in custody
- 12 pending appeal;
- 13 (2) Defendant shall be afforded reasonable opportunity for private consultation with
- 14 counsel;
- 15 (3) On order of a court of the United States or on request of an attorney for the
- 16 government, the person in charge of the corrections facility in which defendant
- 17 is confined shall deliver the defendant to a United States Marshal for the
- 18 purpose of an appearance in connection with a court proceeding; and
- 19 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
- 20 counsel for the defendant, to the United States Marshal, and to the United States
- 21 Pretrial Services Officer.

22 DATED this 16th day of November, 2012.

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25 JAMES P. DONOHUE
26 United States Magistrate Judge